

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
ABERDEEN DIVISION**

REGINA-TYSHONDA, Woman

PLAINTIFF

V.

NO. 1:22-CV-199-DMB-DAS

STATE OF MISSISSIPPI, et al.

DEFENDANTS

ORDER

On December 27, 2022, “Regina-Tyshonda, Woman,” filed a complaint in the United States District Court for the Northern District of Mississippi “for trespass by way of deprivation of rights under color of law, negligent infliction of emotional distress, defamation, conspiracy, abuse of process and unlawful taking,” naming as defendants the State of Mississippi, Lowndes County, Steve Robinson, Carley Estes, Jay Fisher, Harry Sanders, Leroy Brooks, John Holliman, Trip Hairston, Jeff Smith, Barbara Gilchrist, Christopher Griffith, Peggy Phillips, and Ronald Cooke. Doc. #1. The same day, she filed a “Request to Proceed Without Prepayment,” representing that the filing was “in lieu of” the standard form to proceed in forma pauperis in the district court. Doc. #2.

On January 11, 2023, because Regina-Tyshonda “failed to file her application for leave to proceed *in forma* pauperis on the correct form” and because such an “application must be under oath or under penalty of perjury,” United States Magistrate Judge David A. Sanders ordered her to submit a new application within fourteen days using the standard form and warned her the failure to do so would result in the denial to proceed without prepayment of costs. Doc. #4.

Regina-Tyshonda failed to comply with the order. On January 30, 2023, Judge Sanders issued a “Report and Recommendation” (“R&R”) recommending “that the motion for leave to

proceed *in forma pauperis* be denied.” Doc. #5. Regina-Tyshonda did not file any objections to the R&R and the time within which to do so has passed.

“With respect to those portions of the report and recommendation to which no objections were raised, the Court need only satisfy itself that there is no plain error on the face of the record.” *Gauthier v. Union Pac. R.R. Co.*, 644 F. Supp. 2d 824, 828 (E.D. Tex. 2009) (citing *Douglass v. United Servs. Auto. Ass’n*, 79 F.3d 1415, 1428–29 (5th Cir. 1996)). The Court has reviewed the R&R and finds no plain error on the face of the record. Accordingly, the R&R [5] is **ADOPTED** as the order of this Court and the motion to proceed in forma pauperis [2] is **DENIED**. Regina-Tyshonda must pay the filing fee within twenty-one (21) days of the entry of this order or this action may be dismissed for failure to prosecute.

SO ORDERED, this 14th day of February, 2023.

/s/Debra M. Brown
UNITED STATES DISTRICT JUDGE